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December 6, 2010

By-Hand Delivery and ECF

Hon. Martin Glenn
United States Bankruptcy Judge
United States Bankruptcy Court
Alexander Hamilton Custom House
One Bowling Green
New York, NY 10004

Re: Transfield ER Cape Limited (BVI), Chapter 15 Case No. 10-16270 (MG)

Dear Judge Glenn:

This firm is United States counsel to Casey McDonald, Bob Yap Cheng Ghee and Patrick Cowley, duly appointed Joint Liquidators and foreign representatives ("Petitioners" or "Joint Liquidators") of Transfield ER Cape Limited (BVI) ("TERC" or the "Foreign Debtor"), a company undergoing liquidation before the Commercial Division of the High Court of Justice (the "BVI Court"), case number BVIHCV2010/21 (the "BVI Liquidation"), pursuant to the Insolvency Act of 2003 of the British Virgin Islands (the "2003 Act").

On November 22, 2010, Petitioners filed a Verified Petition seeking recognition of the BVI Liquidation as a Foreign Main or Foreign Non-Main Proceeding pursuant to Chapter 15 of the United States Bankruptcy Code, together with a proposed form of Order. The Petition also included an Ex Parte Application seeking an Order to Show Cause Why Provisional Relief Should Not Be Granted and Proposed Provisional Relief, together with proposed forms of Order.

On November 29, 2010, this Court signed an Order to Show Cause (the "OSC") granting certain temporary relief and setting a date for a hearing to consider why the provisional relief set forth in the OSC should not be granted pending this Court's decision on recognition. The Court directed all affected parties to provide notice of any objection to the provisional relief by today, December 3, 2010 at 12:00 pm. In the event of an objection, the OSC further contemplates a hearing on the issue of provisional relief on December 7, 2010 at 2:00 pm.

The undersigned has contacted counsel for China Earth Shipping Inc., China Sun Shipping Inc., Constellation Energy Commodities Group Inc., Jade Navigation S.A., and TMT Bulk Co. Ltd., the parties that would be affected by the entry of provisional relief. These entities' counsel have informed us that there will be no opposition to the requested provisional relief.

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Accordingly, Petitioners respectfully request that this Court issue an order granting the provisional relief without a hearing, pursuant to Local Rule 2002-1. A copy of the form of Order is enclosed herewith, together with a disc containing an electronic copy of same.

Thank you for your attention to this matter.

Respectfully submitted

HOLLAND & KNIGHT LLP

/s Barbra R. Parlin

Barbra R. Parlin

Encs.

cc by email:

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